

SIXTY-EIGHTH DAY

(Wednesday, May 7, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Goodman
Allen	Halsey
Allison	Hanna
Alsup	Hardeman
Avant	Hargis
Bailey	Harris of Dallas
Baker	Harris of Hill
Bean	Hartzog
Benton	Heflin
Blankenship	Helpinstill
Boone	Henderson
Brawner	Hileman
Bray	Hobbs
Bridgers	Howard
Brown	Howington
Bruhl	Huddleston
Bullock	Huffman
Bundy	Hughes
Burkett	Humphrey
Burnaman	Hutchinson
Carlton	Isaacks
Carrington	Jones
Cato	Kelly
Celaya	Kennedy
Chambers	Kersey
Clark	Kinard
Cleveland	King
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Leyendecker
Crosthwait	Little
Daniel	Lock
Davis	Love
Deen	Lowry
Dickson of Bexar	Lucas
Dickson of Nolan	Lyle
Donald	McAlister
Dove	McCann
Duckett	McDonald
Ellis	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fuchs	Manford
Gandy	Manning
Garland	Markle
Gilmer	Martin

Matthews	Shell
Mills	Simpson
Montgomery	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Murray	Spacek
Nicholson	Spangler
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Reed of Dallas	Voigt
Rhodes	Walters
Roark	Wattner
Roberts	Weatherford
Sallas	White
Senterfitt	Whitesides
Sharpe	

Absent—Excused

Anderson	Hoyo
Bell	Moore
Dwyer	Morse
Eubank	Ridgeway
Evans	Winfree
Fitzgerald	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, our souls are stirred as we realize more and more the sufferings and destruction inflicted upon helpless peoples in this ruthless war. O, God! We are puny in Thy sight, and the way is not clear before us. Do Thou lead our Nation in this time; and out of it all may conditions come that will please Thee. Guide us here after Thy will. For Christ's sake, Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Bell for today on motion of Mr. Morris.

Mr. Fitzgerald for today on motion of Mr. Crosthwait.

Mr. Dwyer for today on motion of Mr. Nicholson.

Mr. Anderson for today, on account of important State business, on motion of Mr. Nicholson.

The following Members were granted leaves of absence on account of illness:

Mr. Reed of Dallas for today, on account of illness in family, on motion of Mr. Harris of Dallas.

Mr. Morse for today on motion of Mr. Harris of Dallas.

Mr. Moore for today on motion of Mr. Connelly.

Mr. Eubank for today on motion of Mr. Craig.

COMMUNICATION

The Speaker laid before the House and had read the following communication:

The State of Colima
Executive Department

In Re: Expression of appreciation by the Government.

His Excellency, Homer Leonard,
Speaker of the House of Representatives of the State of Texas, U. S. A.

The State Government and the people of the State of Colima have learned with profound satisfaction of the passage of House Simple Resolution No. 221 by the Honorable Forty-seventh Legislature on the 17th day of the present month, in which resolution the people of Texas through said Legislature, and the Legislature itself have expressed their deepest sympathy to the inhabitants of Mexico for the suffering brought about by the terrible disaster which occurred on the 15th of this month.

The morale of the people and of the government of the State of Colima was certainly raised when they learned that the residents of other nations are in sympathy with the suffering of our people during trying times such as the present.

Undoubtedly, the attitude of the people of Texas clearly demonstrates the feeling of continental solidarity which unites and exists among the people of the western hemisphere.

In my name and that of the people of the State of Colima I wish to extend my deep appreciation for your very noble action.

Your excellency, please accept our kindest regards.

CONSTITUTIONAL GOVERNOR
OF THE STATE

Colonel Pedro Torres Ortiz

SECRETARY OF STATE

Carlos Alcazar

AKJr./jc.

GRANTING PERMISSION TO RECORD VOTES

Mr. Nicholson asked unanimous consent of the House that he be shown as voting "nay" on House Concurrent Resolution No. 120 adopted by the House on yesterday.

There was objection offered.

Mr. Carlton moved to suspend the Rules in order that Mr. Nicholson may be shown as voting "nay" on House Concurrent Resolution No. 120.

The motion to suspend the Rules prevailed, and it was so ordered.

Mr. Nicholson asked unanimous consent of the House that he be permitted to record his vote as "nay" on House Simple Resolution No. 249, adopted by the House on yesterday.

There was no objection offered and it was so ordered.

RELATIVE TO ROUTINE MOTION PERIOD AND RESOLUTION PERIOD

Mr. Morris moved to suspend the Rules in order that the House may dispense with the routine motion period and the resolution period, at this time.

The motion was lost.

BILL ORDERED NOT PRINTED

On motion of Mr. Hartzog, Senate Bill No. 83 was ordered not printed.

RELATIVE TO THE SHOWING OF CERTAIN FOREIGN FILMS

Mr. Bray offered the following resolution:

H. S. R. No. 245, Relative to the showing of certain foreign films.

Whereas, Germany has banned the exhibition of American-made mo-

tion pictures throughout that country and in the conquered countries; and

Whereas, Germany had thirty-four German-made pictures distributed and exhibited throughout the United States last year; and

Whereas, The most recent German picture "Ohm Kruger" is now in this country and ready for exhibition; and

Whereas, Such picture is inflammatory in its conception of the Nazi political philosophy as contrasted with our Democratic way of government; now

Therefore Be It Resolved, That this great State of Texas go on record as opposing the exhibition in this country of all German-made motion pictures; and

Be It Further Resolved, That the film distributors and exhibitors be requested not to exhibit German-made motion pictures in Texas.

The resolution was read second time.

On motion of Mr. McDonald, the resolution was referred to the Committee on Military Affairs.

GRANTING USE OF THE HALL OF THE HOUSE

Mr. Reed of Dallas offered the following resolution:

H. S. R. No. 252, Granting use of the Hall of the House.

Whereas, The State Board of Medical Examiners will meet in the City of Austin June 16th, 17th, and 18th, for the purpose of holding examinations of applicants for licenses to practice medicine in the State of Texas; and

Whereas, It now seems probable that the Legislature of the State of Texas will have adjourned sine die before that time and in the event it has done so;

Now, Therefore, Be It Resolved, That the State Board of Medical Examiners be granted the use of the Hall of the House of Representatives for the purpose of conducting their examinations in 1941; and, therefore

Be It Further Resolved, That the State Board of Medical Examiners be granted the use of the Hall of the

House of Representatives to hold their examinations in the year 1942 on a date to be selected by them, providing the Legislature of the State of Texas is not in session.

The resolution was read second time.

Mr. Alsop offered the following amendment to the resolution:

Amend H. S. R. No. 252 by adding the following:

"and be it further resolved, That expenses incurred in cleaning the Hall after said examination be borne by the Board of Medical Examiners."

The amendment was adopted.

Question recurring on the resolution, as amended, it was adopted.

RELATIVE TO VOLUNTEER MILITARY SERVICE FOR MEMBERS OF THE HOUSE

Mr. Hileman offered the following resolution:

H. S. R. No. 253, Relative to Volunteer Military Service for Members of the House.

Whereas, The Members of the House of Representatives are excused from Military service; and

Whereas, War clouds are gathering nearer to our shores; and

Whereas, The Sons of fond Mothers will be compelled to serve our country; now

Be It Resolved, That all Members of the House of Representatives take upon themselves a solemn oath that they will volunteer for service in the unhappy event that we are involved in war.

The resolution was read second time.

Mr. Lowry moved that the resolution be referred to the Committee on Military Affairs.

Mr. Hileman moved to table the motion to refer.

Mr. Hanna raised the point of order on further consideration of the resolution at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker sustained the point of order.

MESSAGE FROM THE SENATE

Austin, Texas, May 7, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 95, A bill to be entitled "An Act authorizing the Commissioners Court of any county having a population of not less than three hundred and twenty thousand and not more than three hundred and sixty thousand, according to the last United States Census, etc.; and declaring an emergency."

H. B. No. 143, A bill to be entitled "An Act making it unlawful to hunt, take, or kill any squirrel except during the months of November and December in Liberty and Hardin Counties, etc.; and declaring an emergency."

H. B. No. 157, A bill to be entitled "An Act amending Sec. 15 of Chapter 16, Acts of the Forty-fourth Legislature, Regular Session, by providing for the payment of certain traveling and other necessary expenses, etc.; and declaring an emergency."

H. B. No. 279, A bill to be entitled "An Act to amend Sec. 2, of Senate Bill No. 575, Acts of the Forty-second Legislature, Reg. Sess., approved Apr. 30, 1931, being an Act to establish a system of public roads and bridges for Bexar County and granting certain powers to the Commissioners Court of said County with reference thereto authorizing the Commissioners Court to hire all necessary road machinery, etc.; and declaring an emergency."

H. B. No. 298, A bill to be entitled "An Act prescribing additional powers and duties of the Commissioners Court in counties having a population of not less than ten thousand, three hundred and thirty-nine, and not more than ten thousand, five hundred and forty, according to the latest Federal Census, etc.; and declaring an emergency."

H. B. No. 302, A bill to be entitled "An Act applicable to the County of Concho, prohibiting the transportation of minnows taken in said County

beyond the borders of said county for the purpose of sale, etc.; and declaring an emergency."

H. B. No. 304, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than three thousand seven hundred and fifty and not more than three thousand eight hundred and fifty according to the last preceding Federal Census, etc.; and declaring an emergency."

H. B. No. 355, A bill to be entitled "An Act making it unlawful for any person to place, set, use, drag, or have in possession any seine, net, or other device for catching fish, with certain exceptions, in or on certain portions of the water of Corpus Christi Bay, etc.; and declaring an emergency."

H. B. No. 393, A bill to be entitled "An Act providing that in counties containing a population of not less than eighty-three thousand and not more than eighty-three thousand three hundred and fifty, etc.; and declaring an emergency."

H. B. No. 430, A bill to be entitled "An Act amending Chap. 7 of the General and Special Laws of the Third Called Session of the Forty-second Legislature, etc.; and declaring an emergency."

H. B. No. 494, A bill to be entitled "An Act authorizing the Commissioners Court of any county having a population of not less than sixty thousand and not more than eighty thousand, according to the last Federal Census, etc.; and declaring an emergency." (With amendments.)

S. B. No. 163, A bill to be entitled "An Act providing for the regulating appropriations from moneys in the State Treasury not otherwise appropriated, to supplement local funds for the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas, etc.; and declaring an emergency."

S. B. No. 403, A bill to be entitled "An Act to declare a State policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton and cotton products and the increased use

and consumption of same, etc.; and declaring an emergency."

S. B. No. 431, A bill to be entitled "An Act relating to face-amount certificate companies and face-amount certificates as those terms are defined in the Act of Congress known as the Investment Company Act of 1940; and declaring an emergency."

H. B. No. 520, A bill to be entitled "An Act providing that a candidate in a primary election for State Representative in the Legislature in certain counties shall not have his name placed on the ballot unless he has paid to the County Executive Committee of his county a sum to be fixed not in excess of Fifty Dollars (\$50) etc.; and declaring an emergency."

H. B. No. 674, A bill to be entitled "An Act making it unlawful to take any wild fox in the County of Brazos for the purpose of sale, etc.; and declaring an emergency."

H. B. No. 691, A bill to be entitled "An Act to amend an Act passed by the Thirty-fourth Legislature, convened at the city of Austin, on January 12, 1915, and adjourned March 20, 1915, creating McAllen Independent School District, etc.; and declaring an emergency."

H. B. No. 712, A bill to be entitled "An Act providing for a more adequate and equitable salary for constable and justice of peace in certain counties in this State, etc.; and declaring an emergency."

H. B. No. 718, A bill to be entitled "An Act providing a method for the exclusion of lands and for elections upon the question of exclusion of lands from Fresh Water Supply Districts created under Chapter 4, Title 128, etc.; and declaring an emergency."

H. B. No. 754, A bill to be entitled "An Act providing that members of the Commissioners Court in certain counties may receive each, the sum of Twenty-five Dollars (\$25) per month for traveling expenses, etc.; and declaring an emergency." (With amendments.)

H. B. No. 778, A bill to be entitled "An Act making it unlawful to kill fox in Liberty and Hardin Counties

for a period of five (5) years; etc.; and declaring an emergency."

H. B. No. 779, A bill to be entitled "An Act making it unlawful to kill or attempt to kill bear or wild turkey or molest same in Hardin County for a period of five (5) years; etc.; and declaring an emergency."

H. B. No. 780, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear or wild turkey or trap or molest same in Liberty County for a period of five (5) years, etc.; and declaring an emergency."

H. B. No. 781, A bill to be entitled "An Act preventing the killing or possession of any fox in Hopkins and Wood Counties for a period of five (5) year; etc.; and declaring an emergency."

H. B. No. 793, A bill to be entitled "An Act to authorize all independent school districts in certain counties to pay present outstanding legal indebtedness of the said school districts by refunding warrants to bear interest of not more than six (6) per cent per annum and to be payable out of a portion of the local maintenance taxes; and declaring an emergency."

H. B. No. 797, A bill to be entitled "An Act making permanent Roane Independent School District No. 93, situated in Navarro County, without regard to number of scholastics therein; and declaring an emergency."

H. B. No. 813, A bill to be entitled "An Act validating the incorporation of the City of Uvalde, Texas; etc.; and declaring an emergency."

H. B. No. 822, A bill to be entitled "An Act to validate the summoning of grand and petit juries under the present law so as to render them available in said Counties under this Act; etc.; and declaring an emergency."

H. B. No. 839, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, or wild quail or trap or molest same in Duval County for a period of five (5) years, etc.; and declaring an emergency."

H. B. No. 847, A bill to be entitled

"An Act prescribing the maximum amount that may be allowed by county boards of trustees to ex officio county superintendents for traveling in certain counties, etc.; and declaring an emergency."

H. B. No. 860, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory, etc.; and declaring an emergency."

H. B. No. 863, A bill to be entitled "An Act declaring the location of feed pens for certain livestock or slaughter pens within five hundred (500) feet of a cemetery is a nuisance in certain counties, etc.; and declaring an emergency."

H. B. No. 870, A bill to be entitled "An Act making it unlawful for any person to hunt, snare, kill, or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn, or wild turkey in certain counties, etc.; and declaring an emergency."

H. B. No. 892, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the County of Harrison, etc.; and declaring an emergency." (With amendments.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 360 WITH SENATE AMENDMENTS

Mr. Burkett called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 360, A bill to be entitled "An Act authorizing the Commissioners Court in each County in this State having a population of not less than Eleven Thousand Five Hundred Forty (11,540) nor more than Eleven Thousand Five Hundred Seventy (11,570), and Twelve Thousand Three Hundred Eighty (12,380) nor more than Twelve Thousand Three Hundred Ninety (12,390), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling

and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the County; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the County; and declaring an emergency."

Mr. Burkett moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 360: Messrs. Burkett, Craig, Favors, Little and Halsey.

SENATE BILL NO. 423 ON PASSAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 423, A bill to be entitled "An Act making an appropriation for the support and maintenance of the executive and administration departments and agents of the State government."

The bill having heretofore been read second time with committee amendment offered by Mr. Reed of Dallas, and amendment by Mr. Burkett to the committee amendment, pending.

Mr. Bullock moved to table the amendment by Mr. Burkett.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Allen	Boone
Allison	Brawner
Alsup	Brown
Avant	Bullock
Bean	Burnaman

Carrington	Lock
Cato	Love
Clark	Lucas
Cleveland	McGlasson
Colson, Mrs.	McLellan
Connelly	Manning
Craig	Markle
Daniel	Martin
Dickson of Bexar	Matthews
Duckett	Mills
Ellis	Morgan
Ferguson	Morris
Gandy	Pace
Gilmer	Pevehouse
Halsey	Phillips
Hardeman	Price
Hargis	Reed of Bowie
Harris of Dallas	Roark
Helpinstill	Roberts
Hileman	Sallas
Hobbs	Sharpe
Howard	Skiles
Huffman	Smith of Bastrop
Hughes	Smith of Atascosa
Humphrey	Spacek
Hutchinson	Spangler
Jones	Stanford
Kennedy	Stinson
Kersey	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Walters
Leyendecker	Wattner
Little	Weatherford

Nays—25

Bailey	Lowry
Benton	McCann
Bray	McMurry
Bruhl	McNamara
Burkett	Manford
Chambers	Murray
Davis	Nicholson
Deen	Parker
Garland	Rampy
Hanna	Senterfitt
Howington	Simpson
Huddleston	Stubbs
King	

Absent

Baker	Donald
Blankenship	Dove
Bridgers	Favors
Bundy	Files
Carlton	Fuchs
Celaya	Goodman
Coker	Harris of Hill
Crossley	Hartzog
Crothwait	Heflin
Dickson of Nolan	Henderson

Isaacks	Ridgeway
Kelly	Rhodes
Lyle	Shell
McAlister	Voigt
McDonald	White
Montgomery	Whitesides

Absent—Excused

Anderson	Hoyo
Bell	Kinard
Dwyer	Moore
Eubank	Morse
Evans	Reed of Dallas
Fitzgerald	Winfree

Mr. Burkett offered the following amendment to that section of the committee amendment relative to Railroad Commission of Texas:

Amend Committee Amendment No. 1 to Senate Bill No. 423 of the printed bill on page 258, by striking out the amount "\$1500.00" in lines 13, 14 and 15, and inserting the amount "\$1800.00" in each line for the biennial.

BURKETT,
DAVIS.

The amendment was adopted.

Mr. Burkett offered the following amendment to that section of the committee amendment relative to Railroad Commission of Texas:

Amend Committee Amendment No. 1 to Senate Bill No. 423 as printed by striking out the figures "\$2250," page 255, lines 22 to 29, inclusive, item 174 to 177, inclusive, and inserting the figures "\$2100" in each line.

BURKETT,
DAVIS.

Mr. Bullock moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—80

Allen	Brawner
Allison	Brown
Alsup	Bullock
Avant	Burnaman
Baker	Carlton
Bean	Carrington

Cato	Love
Clark	Lowry
Cleveland	Lucas
Connelly	McAlister
Craig	McCann
Crosthwait	McGlasson
Donald	McLellan
Ellis	Markle
Favors	Martin
Ferguson	Matthews
Files	Morgan
Gilmer	Morris
Halsey	Pace
Hardeman	Pevehouse
Hargis	Phillips
Harris of Dallas	Price
Helpinstill	Reed of Bowie
Henderson	Ridgeway
Hobbs	Roark
Howard	Roberts
Huddleston	Sharpe
Huffman	Shell
Hughes	Skiles
Humphrey	Smith of Bastrop
Hutchinson	Spacek
Jones	Spangler
Kelly	Stanford
Kennedy	Stinson
Kersey	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Walters
Leyendecker	Weatherford

Nays—32

Bailey	King
Bray	McMurry
Bruhl	McNamara
Burkett	Manford
Chambers	Manning
Daniel	Mills
Davis	Murray
Deen	Nicholson
Dickson of Bexar	Parker
Dove	Rampy
Duckett	Sallas
Gandy	Senterfitt
Garland	Simpson
Hanna	Stubbs
Hileman	Voigt
Howington	Wattner

Absent

Benton	Crossley
Blankenship	Dickson of Nolan
Boone	Fuchs
Bridgers	Goodman
Bundy	Harris of Hill
Celaya	Hartzog
Coker	Heflin
Colson, Mrs.	Isaacks

Little	Rhodes
Lock	Smith of Atascosa
Lyle	White
McDonald	Whitesides
Montgomery	

Absent—Excused

Anderson	Hoyo
Bell	Kinard
Dwyer	Moore
Eubank	Morse
Evans	Reed of Dallas
Fitzgerald	Winfree

Mr. Burkett offered the following amendment to that section of the committee amendment relative to Railroad Commission of Texas:

Amend Committee Amendment No. 1 to Senate Bill No. 423 of the printed bill, on page 262, by striking out the word "in" and insert instead the word "to"; and on page 263, line 34, by striking out the word "in" and inserting the word "to."

BURKETT,
DAVIS.

(Mr. Little in the Chair.)

Mr. Bullock moved to table the amendment by Mr. Burkett.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68

Allen	Hardeman
Allison	Hargis
Alsup	Heflin
Avant	Helpinstill
Bean	Hileman
Brawner	Howard
Brown	Huddleston
Bullock	Huffman
Carlton	Hughes
Carrington	Humphrey
Cato	Hutchinson
Clark	Isaacks
Cleveland	Jones
Connelly	Kersey
Craig	Klingeman
Crosthwait	Lansberry
Donald	Lehman
Ellis	Love
Favors	Lucas
Ferguson	McAlister
Gilmer	McGlasson
Halsey	McLellan

Markle	Smith of Atascosa
Matthews	Spacek
Morgan	Spangler
Morris	Stanford
Pevehouse	Stinson
Phillips	Taylor
Price	Thornton
Reed of Bowie	Turner
Ridgeway	Vale
Roberts	Walters
Shell	Weatherford
Smith of Bastrop	Whitesides

Nays—45

Bailey	King
Baker	Knight
Benton	Lowry
Bray	McMurry
Bruhl	McNamara
Bundy	Manford
Burkett	Manning
Burnaman	Martin
Chambers	Mills
Daniel	Murray
Davis	Nicholson
Deen	Pace
Dickson of Bexar	Parker
Dove	Rampy
Duckett	Sallas
Gandy	Senterfitt
Garland	Simpson
Hanna	Skiles
Henderson	Stubbs
Hobbs	Voigt
Howington	Wattner
Kelly	White
Kennedy	

Absent

Blankenship	Harris of Hill
Boone	Hartzog
Bridgers	Leyendecker
Celaya	Little
Coker	Lock
Colson, Mrs.	Lyle
Crossley	McCann
Dickson of Nolan	McDonald
Files	Montgomery
Fuchs	Rhodes
Goodman	Roark
Harris of Dallas	Sharpe

Absent—Excused

Anderson	Hoyo
Bell	Kinard
Dwyer	Moore
Eubank	Morse
Evans	Reed of Dallas
Fitzgerald	Winfree

Question: Shall the committee amendment be adopted?

ADDRESS BY CERTAIN CLUB WOMEN OF TEXAS

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 103, adopted by the House and Senate for the purpose of hearing certain women leaders and club women of Texas, at 11:00 o'clock a. m. today, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being duly admitted were escorted to seats prepared for them along the aisle.

Lieutenant Governor Coke R. Stevenson was escorted to a seat on the Speaker's Stand.

At 11:05 a. m., the visitors were announced at the bar of the House and escorted by Mrs. Colson, Miss Files, and Messrs. Benton, Blankenship, Harris of Dallas, Dickson of Bexar, Love, Carlton, Carrington, and Bundy, committee on the part of the House, were escorted to seats on the Speaker's Stand.

Lieutenant Governor Coke R. Stevenson called the Senate to order and stated that the two Houses were in Joint Session for the purpose of hearing certain women leaders and club women of Texas.

The Lieutenant Governor directed the clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

Absent—Excused

Cotton	Spears
Hill	Sulak

A quorum of the Senate was announced present.

Hon. G. H. Little, who was in the Chair, called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following Members were present:

Mr. Speaker	Halsey
Allen	Hanna
Allison	Hardeman
Alsup	Hargis
Avant	Harris of Dallas
Bailey	Harris of Hill
Baker	Hartzog
Bean	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Brawner	Hobbs
Bray	Howard
Bridgers	Howington
Brown	Huddleston
Bruhl	Huffman
Bullock	Hughes
Bundy	Humphrey
Burkett	Hutchinson
Burnaman	Isaacks
Carlton	Jones
Carrington	Kelly
Cato	Kennedy
Celaya	Kersey
Chambers	King
Clark	Klingeman
Cleveland	Knight
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Leyendecker
Craig	Little
Crossley	Lock
Crosthwait	Love
Daniel	Lowry
Davis	Lucas
Deen	Lyle
Dickson of Bexar	McAlister
Dickson of Nolan	McCann
Donald	McDonald
Dove	McGlasson
Duckett	McLellan
Ellis	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fuchs	Markle
Gandy	Martin
Garland	Matthews
Gilmer	Mills
Goodman	Montgomery

Morgan	Simpson
Morris	Skiles
Murray	Smith of Bastrop
Nicholson	Smith of Atascosa
Pace	Spacek
Parker	Spangler
Pevehouse	Stanford
Phillips	Stinson
Price	Stubbs
Rampy	Taylor
Reed of Bowie	Thornton
Ridgeway	Turner
Rhodes	Vale
Roark	Voigt
Roberts	Walters
Sallas	Wattner
Senterfitt	Weatherford
Sharpe	White
Shell	Whitesides

Absent—Excused

Anderson	Hoyo
Bell	Kinard
Dwyer	Moore
Eubank	Morse
Evans	Reed of Dallas
Fitzgerald	Winfree

A quorum of the House was announced present.

Hon. G. H. Little presented Hon. J. A. Benton, who introduced Mrs. E. H. Shaufler to the House.

The Rev. S. J. Posey, pastor of the First Baptist Church of Austin, offered prayer.

Mrs. Shaufler then presented the following, who addressed the Joint Session briefly:

Mrs. Noyes Darling Smith; Mrs. M. H. Ehlert, of Brenham, president of American Legion Auxiliary; Mrs. Claude D. Van Watts, president of W. C. T. U.; Mrs. W. A. Quebedeaux, of Austin.

Mrs. Shaufler then addressed the Joint Session.

Mr. Little, on behalf of the Members of the Legislature, expressed appreciation to the visitors.

SENATE RETIRES

At the conclusion of the address, the Senate, at 11:40 o'clock a. m., retired to its Chamber.

MESSAGE FROM THE GOVERNOR

The Chair laid before the House and had read the following message from the Governor:

May 7th, 1941.

To the House of Representatives of the Forty-seventh Legislature:

I am returning herewith, without my approval, House Bill No. 567, which is an appropriation of Forty-four Thousand, Eight Hundred Dollars to the Liquor Control Board.

I do not see any emergency which makes necessary this appropriation at this time. If the funds are needed it should be cared for in the regular appropriation budget.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

SENATE BILLS ON FIRST
READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 163, to the Committee on Education.

S. B. No. 403, to the Committee on Appropriations.

S. B. No. 431, to the Committee on Judiciary and Uniform State Laws.

RELATIVE TO SENATE
BILL NO. 163

Mr. Alsup moved that Senate Bill No. 163 be withdrawn from the Committee on Education and referred to the Committee on Appropriations.

Mr. Hanna raised a point of order on consideration of the motion by Mr. Alsup at this time, on the ground that the routine motion period has expired.

The Chair sustained the point of order.

Mr. Alsup moved to suspend the Rules relative to the making of routine motions for the purpose of making the above motion.

Mr. Kersey raised a point of order on the ground that the time for the reading of bills on first reading has expired.

The Chair sustained the point of order.

Mr. McLellan moved to suspend the Rules relative to the reading of bills on first reading, in order that the bills on the Speaker's stand may now be read and referred.

The motion to suspend the Rules prevailed by the following vote:

Yeas—89

Allen	Hughes
Baker	Isaacks
Bean	Jones
Benton	Kelly
Boone	Klingeman
Bray	Knight
Bridgers	Lansberry
Bruhl	Lehman
Bundy	Lock
Burkett	Love
Burnaman	Lowry
Carrington	Lucas
Chambers	Lyle
Cleveland	McCann
Coker	McLellan
Colson, Mrs.	McMurry
Connelly	McNamara
Craig	Manford
Crossley	Manning
Crosthwait	Martin
Daniel	Matthews
Davis	Mills
Deen	Montgomery
Dickson of Bexar	Murray
Donald	Pace
Dove	Phillips
Duckett	Price
Ellis	Rampy
Favors	Reed of Bowie
Ferguson	Ridgeway
Files	Rhodes
Fuchs	Roark
Gandy	Sallas
Garland	Sharpe
Goodman	Simpson
Hardeman	Smith of Bastrop
Hargis	Spacek
Harris of Hill	Spangler
Helpinstill	Taylor
Henderson	Thornton
Hileman	Turner
Hobbs	Walters
Howington	Weatherford
Huddleston	White
Huffman	

Nays—34

Allison	Bailey
Alsup	Brawner
Avant	Brown

Bullock	McAlister
Carlton	McGlasson
Cato	Markle
Gilmer	Nicholson
Halsey	Parker
Hanna	Roberts
Harris of Dallas	Senterfitt
Howard	Skiles
Humphrey	Smith of Atascosa
Hutchinson	Stinson
Kennedy	Stubbs
Kersey	Vale
Kinard	Voigt
King	Wattner

Present—Not Voting

Morgan

Absent

Blankenship	McDonald
Celaya	Morris
Clark	Pevehouse
Dickson of Nolan	Shell
Hartzog	Stanford
Heflin	Whitesides
Leyendecker	

Absent—Excused

Anderson	Hoyo
Bel	Moore
Dwyer	Morse
Eubank	Reed of Dallas
Evans	Winfree
Fitzgerald	

MESSAGE FROM THE SENATE

Austin, Texas, May 7, 1941.

Hon. Homer Leonard, Speaker of the House to Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 541, A bill to be entitled "An Act repealing House Bill No. 627, passed at the Regular Session of the Forty-fifth Legislature, the same being a local game bill for Polk County; and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act providing an open season on quail on Mondays, Wednesdays, and Fridays during the period December 1st to January 16th in Hopkins and Franklin Counties, etc.; and declaring an emergency." (With amendments.)

H. B. No. 569, A bill to be entitled "An Act establishing a county law

library in certain counties, etc.; and declaring an emergency." (With amendments.)

H. B. No. 610, A bill to be entitled "An Act amending House Bill No. 193, Acts of the Regular Session, Forty-sixth Legislature, 1939, by eliminating from the provisions thereof certain counties, etc.; and declaring an emergency."

H. B. No. 618, A bill to be entitled "An Act to amend Article 2779 of the 1925 Revised Civil Statutes of Texas by adding Article 2779a, to provide for the election of Tax Assessors and Collectors in Independent School Districts under certain circumstances, etc.; and declaring an emergency."

H. B. No. 858, A bill to be entitled "An Act operative only in certain counties; authorizing cities and towns that have issued bonds, warrants, notes, or other obligations payable from revenues of the water systems and/or sewer systems and/or sewage disposal plants to issue new bonds of such cities or towns payable from the net revenues of the water systems and/or sewer systems, etc.; and declaring an emergency."

H. B. No. 897, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each County Commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as County Commissioner, etc.; and declaring an emergency."

H. B. No. 903, A bill to be entitled "An Act prescribing the manner of taking fish in Marshall Ford Lake in Burnet County and the Colorado River to and including the mouth of Slick Rock Creek in Burnet, etc.; and declaring an emergency."

H. B. No. 908, A bill to be entitled "An Act to provide for the maintenance and bond tax rate for school purposes in certain common school district, etc.; and declaring an emergency."

H. B. No. 910, A bill to be entitled "An Act to amend Senate Bill No. 280, Chapter 168, of the Acts of the Regular Session of the Forty-fourth Legislature, so that the same shall read and provide as hereafter shown,

and adding a section thereto fixing the authority and duties, in certain enumerated cases, of Assessors and Collectors of Taxes in certain counties, etc.; and declaring an emergency." (With amendments.)

H. B. No. 922, A bill to be entitled "An Act to fix the maximum rate of tax to be levied in all independent school districts having a certain scholastic population, etc.; and declaring an emergency."

H. B. No. 927, A bill to be entitled "An Act providing an open season for mourning doves in Palo Pinto County from September 1st to October 31st of each year and providing that other laws of this State with reference to taking and hunting mourning doves shall apply in said county, etc.; and declaring an emergency."

H. B. No. 928, A bill to be entitled "An Act amending Section 4 of Chapter 290, Acts of the Forty-first Legislature, as amended by Section 1, Chapter 130, Acts of the Forty-fifth Legislature, so as to provide for a separate board of Trustees for all municipal colleges in the State of Texas, organized prior to the year 1923, etc.; and declaring an emergency." (With amendments.)

H. B. No. 932, A bill to be entitled "An Act providing for the closed season on wild deer, wild turkey, quail and javelina in Live Oak County, Texas, for a period of three (3) years, etc.; and declaring an emergency."

H. B. No. 955, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities and towns on petition of the owners of all such territory, etc.; and declaring an emergency."

H. B. No. 960, A bill to be entitled "An Act authorizing the Commissioners Courts in certain counties to allow each County Commissioner certain traveling expenses while traveling on official business; and declaring an emergency."

H. B. No. 989, A bill to be entitled "An Act regulating the employment and compensation of deputies, assistants, or clerks to district, county or

precinct officers in certain counties, etc.; and declaring an emergency."

H. B. No. 975, A bill to be entitled "An Act for the purpose of better conserving the game and fish resources in Aransas County by providing for the closure of a certain area in Aransas Bay to the use of the oyster dredge, etc.; and declaring an emergency."

Adopted

Senate Resolution No. 125, Notifying the House that the Senate has receded from the amendments to House Bill No. 373, and to have declared House Bill No. 373 was passed in the same form in which it was received by the Senate from the House.

Senate has granted the request of the House to return House Concurrent Resolution No. 101 and it is herewith returned. (H. C. R. No. 101 attached to message.)

Passed

S. B. No. 61, A bill to be entitled "An Act providing that in certain counties the County Judge shall receive an additional annual salary of Fifteen Hundred (\$1500.00) Dollars for serving as a member of the Juvenile Board, etc.; and declaring an emergency."

S. B. No. 345, A bill to be entitled "An Act to provide for fees for Constables whose precincts lie in counties having a population of more than three hundred twenty-five thousand (325,000) and less than three hundred ninety thousand (390,000) by the last preceding Federal Census, etc.; and declaring an emergency."

S. B. No. 427, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction, etc.; and declaring an emergency."

S. B. No. 429, A bill to be entitled "An Act relating to marks and brands of live stock in Victoria County only, etc.; and declaring an emergency."

S. B. No. 440, A bill to be entitled "An Act creating a Special Road Law for Burnet County, Texas, etc.; and declaring an emergency."

S. B. No. 445, A bill to be entitled "An Act to define certain means and methods of taking certain fish in the fresh waters of Hamilton County, Texas, etc.; and declaring an emergency."

S. B. No. 452, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 299, Acts of the Regular Session of the 47th Legislature; and declaring an emergency."

Adopted

S. C. R. No. 41, Authorizing the donation of certain materials of the State Highway Department.

Passed

S. B. No. 346, A bill to be entitled "An Act authorizing the Commissioners' Court in certain counties to levy a direct tax of not more than twenty-five (25¢) cents on the valuation of One Hundred (\$100) Dollars on all property in said counties, etc.; and declaring an emergency."

S. B. No. 415, A bill to be entitled "An Act authorizing the Commissioners' Court in certain counties to allow each County Commissioner certain expenses for traveling, etc.; and declaring an emergency."

S. B. No. 441, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Burleson County for a period of five (5) years, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

(Speaker in the Chair.)

SENATE BILLS ON FIRST READING

The following Senate bills received from the Senate today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 163, to the Committee on Education.

S. B. No. 403, to the Committee on Appropriations.

S. B. No. 431, to the Committee on Judiciary and Uniform State Laws.

S. B. No. 346, to the Committee on Counties.

S. B. No. 61, to the Committee on Counties.

S. B. No. 345, to the Committee on Counties.

S. B. No. 427, to the Committee on Judiciary and Uniform State Laws.

S. B. No. 429, to the Committee on Counties.

S. B. No. 440, to the Committee on Counties.

S. B. No. 445, to the Committee on Game and Fisheries.

S. B. No. 452, to the Committee on Counties.

S. B. No. 441, to the Committee on Game and Fisheries.

S. B. No. 415, to the Committee on Counties.

PROVIDING FOR CERTAIN SUSPENSION DAY

Mr. Hardeman offered the following resolution:

H. C. R. No. 121, Providing for certain suspension day.

Whereas, Monday, May 5th, was under the rules, Suspension Day, but on account of a continuous consideration of the Senate Bill No. 423, the General Appropriation Bill, all rights of suspension were crowded out, and

Whereas, Many Members have relied upon having a Suspension Day once each week, in order to call up their important bills, and in fact, there should be, especially this late in the session, at least one Suspension Day a week.

Therefore, Be It Resolved, by the House of Representatives, the Senate concurring, That Thursday, May 8th, be designated and used as Suspension Day in the House of Representatives in lieu of Monday, May 5th.

HARDEMAN,
ISAACKS,
STUBBS,
KERSEY.

The resolution was read second time and was adopted by the following vote:

Yeas—63

Allison
Alsup
Avant

Bailey
Bean
Benton

Brawner	Hutchinson
Brown	Isaacks
Bruhl	King
Bundy	Kersey
Burkett	Klingeman
Burnaman	Lansberry
Carlton	Little
Cato	Lucas
Celaya	McLellan
Clark	Manning
Cleveland	Martin
Coker	Mills
Crossley	Morgan
Deen	Price
Dickson of Bexar	Rampy
Dove	Reed of Bowie
Ellis	Senterfitt
Favors	Sharpe
Files	Simpson
Gandy	Smith of Atascosa
Gilmer	Spacek
Goodman	Stubbs
Hardeman	Taylor
Hargis	Thornton
Harris of Dallas	Vale
Harris of Hill	Walters
Howington	Wattner
Huddleston	White
Hughes	Whitesides

Nays—54

Allen	Kinard
Baker	Knight
Boone	Lehman
Bray	Leyendecker
Bullock	Lock
Carrington	Love
Chambers	Lyle
Connelly	McCann
Craig	Markle
Crosthwait	Matthews
Davis	Montgomery
Donald	Murray
Duckett	Nicholson
Ferguson	Pace
Fuchs	Parker
Garland	Phillips
Halsey	Ridgeway
Hanna	Rhodes
Heflin	Roark
Helpinstill	Roberts
Henderson	Sallas
Hileman	Skiles
Hobbs	Spangler
Howard	Stinson
Humphrey	Turner
Jones	Voigt
Kennedy	Weatherford

Absent

Blankenship	Colson, Mrs.
Bridgers	Daniel

Dickson of Nolan	McMurry
Hartzog	McNamara
Huffman	Manford
Kelly	Morris
Lowry	Pevehouse
McAlister	Shell
McDonald	Smith of Bastrop
McGlasson	Stanford

Absent—Excused

Anderson	Hoyo
Bell	Moore
Dwyer	Morse
Eubank	Reed of Dallas
Evans	Winfree
Fitzgerald	

NOTICE GIVEN

Mr. Hughes gave notice that he would, on the next legislative day, move to take up for consideration at that time, House Bill No. 627, which bill was heretofore laid on the table subject to call.

RELATIVE TO CONFERENCE
COMMITTEE REPORT
ON HOUSE BILL
NO. 76

Mr. Manning moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the Conference Committee report on House Bill No. 76, was adopted.

The motion to suspend the Rules prevailed by the following vote:

Yeas—103

Allen	Cleveland
Allison	Coker
Alsup	Connelly
Avant	Crosthwait
Bailey	Davis
Baker	Dickson of Bexar
Benton	Donald
Boone	Duckett
Brawner	Ellis
Bray	Ferguson
Bridgers	Files
Brown	Fuchs
Bruhl	Gandy
Bullock	Garland
Burkett	Halsey
Burnaman	Hanna
Carrington	Hargis
Cato	Harris of Dallas
Celaya	Harris of Hill
Chambers	Heflin
Clark	Helpinstill

Henderson	Morgan
Hileman	Murray
Hobbs	Pace
Howard	Parker
Huddleston	Phillips
Huffman	Price
Humphrey	Rampy
Hutchinson	Ridgeway
Isaacks	Rhodes
Jones	Roark
Kelly	Roberts
Kinard	Sallas
King	Senterfitt
Klingeman	Sharpe
Knight	Simpson
Lansberry	Skiles
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Lock	Spacek
Love	Stinson
Lucas	Stubbs
Lyle	Taylor
McAlister	Thornton
McDonald	Turner
McLellan	Vale
McNamara	Walters
Manning	Wattner
Markle	Weatherford
Martin	White
Matthews	Whitesides
Montgomery	

Nays—7

Craig	Hughes
Favors	Kersey
Gilmer	Voigt
Howington	

Absent

Bean	Little
Blankenship	Lowry
Bundy	McCann
Carlton	McGlasson
Colson, Mrs.	McMurry
Crossley	Manford
Daniel	Mills
Deen	Morris
Dickson of Nolan	Nicholson
Dove	Pevehouse
Goodman	Reed of Bowie
Hardeman	Shell
Hartzog	Spangler
Kennedy	Stanford

Absent—Excused

Anderson	Hoyo
Bell	Moore
Dwyer	Morse
Eubank	Reed of Dallas
Evans	Winfree
Fitzgerald	

Mr. Manning then moved to reconsider the vote by which the Conference Committee report on House Bill No. 76 was adopted.

The motion to reconsider prevailed.

Question: Shall the Conference Committee report on House Bill No. 76 be adopted?

Question recurring on the adoption of the report, it was lost.

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, and their captions had been read severally the following enrolled bills:

H. B. No. 31, "An Act to provide that in all suits on account of the defalcation of, or misapplication or misappropriation of money by, any public officer in this State the official bond or bonds of such officers executed after this Act takes effect shall inure to the benefit of the persons aggrieved by such defalcation, misapplication or misappropriation occurring during the period covered by such bonds, and that for all purposes of limitation such suits by such persons on such bonds shall be considered and treated as actions for debt founded upon a contract in writing and governed by the four years' statute of limitation."

H. B. No. 124, "An Act to amend Article 4629 of the Revised Civil Statutes of Texas, as amended, by striking out certain words therein; and providing for an emergency."

H. B. No. 335, "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by H. B. No. 222, Chapter 254, of the Acts of the Regular Session of the 41st Legislature, and further amending Chapter 137, Section 1, Acts of the Regular Session of 1931, of the 42nd Legislature; and declaring an emergency."

HOUSE BILLS ON FIRST READING

The following House bills introduced today was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Favours:

H. B. No. 1015, A bill to be entitled "An Act making it unlawful to hunt, kill, or pursue any wild deer, turkey or antelope in Collingsworth County, Texas; and declaring an emergency."

Referred to Committee on Game and Fisheries.

Mr. Morris asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1016.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the Appropriate Committee, as follows:

By Mr. Morse, Mr. Morris, Mr. Skiles, Mr. Lock, Mr. Stinson, Mr. Turner, Mr. Love, Mr. Ferguson, Mr. Lowry and Mr. Harris of Dallas.

H. B. No. 1016, A bill to be entitled "An Act to amend Sections 1, 5, 6, 7, and 8 of Senate Bill No. 47, Acts Forty-fifth Legislature, Regular Session, carrying into effect Section 46a of Article III of the Constitution of the State of Texas which established a Teacher Retirement System of Texas; by defining words and phrases used in the Act; providing for the creation, management and distribution of the Teacher Savings Fund, the State Membership Accumulation Fund, the Membership Annuity Reserve Fund, the Interest Fund, the Permanent Retirement Fund, the Expense Fund, and the Prior Service Annuity Reserve Fund of said system; providing for retirement of Members and the method and manner of computing and paying retirement benefits and return of contributions; providing the method of financing said system; and declaring an emergency."

Referred to Committee on State Affairs.

Mr. Cleveland asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1017.

There was no objection.

The Speaker then laid the bill before the House, it was read first

time and referred to the Appropriate Committee, as follows:

By Mr. Cleveland:

H. B. No. 1017, a bill to be entitled "An Act to permit John R. Howe and wife, Emma Howe of Hays County, Texas, to sue, and join the State of Texas and Texas Highway Commission in a suit against Hays County, the State of Texas and Highway Commission for damages incident to condemnation proceedings had in Cause No. 1409 in the County Court of Hays County, Texas, styled State of Texas vs. John R. Howe and wife, Emma Howe; fixing the time within which the same may be brought; fixing the venue thereof in Hays County, Texas; providing that any judgment recovered against the State and Highway Commission or either thereof, shall be paid out of State Highway funds; providing for service of citations; for appeal without bond; and declaring an emergency."

Referred to Committee on State Affairs.

BILL REFERRED

Mr. Celaya moved that House Bill No. 1016 be withdrawn from the Committee on State Affairs and referred to the Committee on Education.

The motion prevailed.

RECESS

Mr. Bullock moved that the House recess until 2:30 o'clock p. m., today.

Mr. Sharpe moved that the House recess until 3:00 o'clock p. m., today.

Mr. Celaya moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

The motion of Mr. Sharpe prevailed, and the House accordingly, at 12:30 o'clock p. m., took recess until 3:00 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

Mr. McCann was granted leave of absence for this afternoon on account of important business, on motion of Mr. Senterfitt.

TO GRANT PERMISSION TO
SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 101, by Mr. Chambers, To grant Permian Oil Company and others permission to sue the State.

The resolution having been printed in the House Journal, on page 2333.

The resolution was referred, by the Speaker, to the Committee on State Affairs.

HOUSE BILL NO. 754 WITH SEN-
ATE AMENDMENTS

Mr. Bruhl called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 754, A bill to be entitled "An Act providing that Members of the Commissioners' Court in counties having a population of not less than 5,990 nor more than 6,000 according to the last preceding Federal Census, may receive each, the sum of \$25.00 per month for traveling expenses, said sum to be paid out of the road and bridge fund of said county; and declaring an emergency."

On motion of Mr. Bruhl the House concurred in the Senate amendments by the following vote:

Yeas—115

Allen	Burkett
Allison	Burnaman
Alsup	Carlton
Avant	Carrington
Bailey	Cato
Bean	Chambers
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Brawner	Colson, Mrs.
Bray	Connelly
Bridgers	Craig
Bruhl	Crossley
Bullock	Crothwait
Bundy	Daniel

Davis	Lucas
Deen	McGlasson
Donald	McMurry
Dove	McNamara
Duckett	Manford
Ellis	Manning
Favors	Matthews
Ferguson	Mills
Fuchs	Montgomery
Gandy	Morgan
Garland	Morris
Goodman	Murray
Halsey	Pace
Hanna	Parker
Hardeman	Price
Hargis	Rampy
Helpinstill	Reed of Bowie
Henderson	Ridgeway
Hileman	Rhodes
Hobbs	Roark
Howard	Roberts
Howington	Sallas
Huddleston	Senterfitt
Huffman	Sharpe
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Smith of Atascosa
Jones	Spacek
Kelly	Spangler
Kennedy	Stanford
Kersey	Stinson
Kinard	Stubbs
King	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Voigt
Leyendecker	Walters
Little	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides

Present—Not Voting

McLellan

Absent

Baker	Heflin
Brown	Lyle
Celaya	McAlister
Dickson of Bexar	McDonald
Dickson of Nolan	Markle
Files	Martin
Gilmer	Pevehouse
Harris of Dallas	Phillips
Harris of Hill	Shell
Hartzog	

Absent—Excused

Anderson	Dwyer
Bell	Eubank

Evans
Fitzgerald
Hoyo
McCann
Moore

Morse
Nicholson
Reed of Dallas
Winfree

HOUSE BILL NO. 444 WITH SENATE AMENDMENTS

Mr. Chambers called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 444, A bill to be entitled "An Act to amend H. B. No. 20, Acts of the 46th Legislature, Regular Session, reciting the legislative determination and declaration of policy; describing the consequence of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts, etc.; and declaring an emergency."

On motion of Mr. Chambers, the House concurred in the Senate amendments by the following vote:

Yeas—121

Allen	Davis
Allison	Deen
Alsup	Dickson of Bexar
Avant	Donald
Bailey	Dove
Benton	Duckett
Blankenship	Ellis
Boone	Favors
Brawner	Ferguson
Bray	Fuchs
Bridgers	Gandy
Bruhl	Garland
Bullock	Goodman
Bundy	Halsey
Burkett	Hanna
Burnaman	Hardeman
Carlton	Hargis
Carrington	Harris of Dallas
Cato	Heflin
Chambers	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howard
Connelly	Howington
Craig	Huddleston
Crossley	Huffman
Crosthwait	Hughes
Daniel	Humphrey

Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
McDonald
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Morris
Murray

Pace
Parker
Phillips
Price
Rampy
Reed of Bowie
Ridgeway
Rhodes
Roark
Roberts
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides

Absent

Baker	Hartzog
Bean	Lyle
Brown	McAlister
Celaya	Morgan
Dickson of Nolan	Pevehouse
Files	Shell
Gilmer	Stubbs
Harris of Hill	

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

SENATE BILL NO. 423 ON PAS- SAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, Senate Bill No. 423, making certain appropriations for the support and maintenance of the executive and administrative departments, etc., on its passage to third reading.

The bill having heretofore been read second time with committee amendment offered by Mr. Reed of Dallas, pending.

Mr. Kinard offered the following amendment to that section of the committee amendment relative to Railroad Commission of Texas:

Amend Committee Amendment No. 1 to Senate Bill No. 423, page 250, by striking all lines 17 and 18, and inserting in lieu thereof the following:

Line 17, "Insurance Expert, \$2,000.00—\$2,000.00."

Line 18, "Insurance Clerk, \$1,800.00—\$1,800.00."

Mr. Hardeman moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—59

Allen	Leyendecker
Allison	Little
Alsup	Lock
Avant	Love
Baker	Lucas
Boone	McMurry
Bridgers	Matthews
Brown	Morgan
Bullock	Morris
Carrington	Pace
Cato	Phillips
Clark	Price
Connelly	Reed of Bowie
Crosthwait	Ridgeway
Donald	Roark
Ellis	Roberts
Favors	Sharpe
Ferguson	Skiles
Goodman	Smith of Bastrop
Hardeman	Spacek
Hargis	Spangler
Harris of Dallas	Stinson
Helpinstill	Stubbs
Hobbs	Taylor
Huddleston	Thornton
Humphrey	Turner
Hutchinson	Vale
Isaacks	Walters
Klingeman	Wattner
Lansberry	Weatherford

Nays—43

Bailey	Hughes
Benton	Kennedy
Bray	Kinard
Bruhl	King
Bundy	Knight
Burkett	Lehman
Burnaman	Lowry
Coker	McGlasson
Craig	McNamara
Davis	Manford
Deen	Manning
Dickson of Bexar	Martin
Dove	Mills
Duckett	Montgomery
Fuchs	Murray
Gandy	Parker
Garland	Rampy
Halsey	Rhodes
Hanna	Senterfitt
Hileman	Simpson
Howington	Smith of Atascosa
Huffman	Voigt

Absent

Bean	Henderson
Blankenship	Howard
Brawner	Jones
Carlton	Kelly
Celaya	Kersey
Chambers	Lyle
Cleveland	McAlister
Colson, Mrs.	McDonald
Crossley	McLellan
Daniel	Markle
Dickson of Nolan	Pevehouse
Files	Sallas
Gilmer	Shell
Harris of Hill	Stanford
Hartzog	White
Heflin	Whitesides

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

Mr. Kinard offered the following amendment to that section of the committee amendment relative to Railroad Commission of Texas:

Amend Committee Amendment No. 1 to Senate Bill No. 423, by striking out on page 250, line 18.

Mr. Hardeman moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—67

Allen	Jones
Allison	Kersey
Alsup	Klingeman
Avant	Lansberry
Baker	Leyendecker
Bean	Little
Blankenship	Lock
Boone	Love
Brawner	Lucas
Bridgers	McLellan
Bullock	Matthews
Carlton	Morgan
Carrington	Morris
Cato	Pace
Clark	Phillips
Cleveland	Price
Connelly	Reed of Bowie
Craig	Ridgeway
Crossley	Roark
Crosthwait	Roberts
Donald	Simpson
Ellis	Skiles
Ferguson	Smith of Bastrop
Files	Spacek
Hardeman	Spangler
Hargis	Stanford
Helpinstill	Taylor
Henderson	Thornton
Hobbs	Turner
Howard	Vale
Huddleston	Walters
Huffman	Wattner
Humphrey	Weatherford
Isaacks	

Nays—45

Bailey	Howington
Benton	Hughes
Bray	Hutchinson
Bruhl	Kennedy
Bundy	Kinard
Burkett	King
Burnaman	Knight
Coker	Lowry
Daniel	McGlasson
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Duckett	Manning
Favors	Mills
Fuchs	Murray
Gandy	Parker
Garland	Rampy
Hanna	Rhodes
Hileman	Sallas

Senterfitt	Voigt
Sharpe	White
Smith of Atascosa	Whitesides

Absent

Brown	Kelly
Celaya	Lehman
Chambers	Lyle
Colson, Mrs.	McAlister
Dickson of Nolan	McDonald
Dove	Markle
Gilmer	Martin
Goodman	Montgomery
Halsey	Pevehouse
Harris of Dallas	Shell
Harris of Hill	Stinson
Hartzog	Stubbs
Heflin	

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

Mr. Hanna offered the following amendment to that section of the committee amendment relative to Rio Grande Compact Commission:

Amend Committee Amendment No. 1, Senate Bill No. 423, page 263, by striking out all below line 35.

HANNA,
DAVIS.

(Pending consideration of the amendment, Mr. Harris of Dallas occupied the Chair temporarily.)

(Speaker in the Chair.)

On motion of Mr. Bullock, the amendment by Mr. Hanna was tabled.

Mr. Hardeman moved the previous question on the committee amendment and the passage of Senate Bill No. 423 to third reading, and the motion was duly seconded.

Question recurring on the motion for the main question, it was lost.

Mr. Davis offered the following amendment to that section of the committee amendment relative to Rio Grande Compact Commission:

Amend committee amendment to Senate Bill No. 423 on page 263, lines 37 and 38, both columns and

inserting in lieu thereof the figures \$2,000.00.

(Mr. Hanna in the Chair.)

Mr. Bullock moved to table the amendment by Mr. Davis.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—85

Allison	Hutchinson
Alsup	Isaacks
Avant	Jones
Baker	Kennedy
Bean	Kersey
Blankenship	Klingeman
Boone	Knight
Brawner	Lansberry
Bridgers	Leyendecker
Brown	Lock
Bruhl	Love
Bullock	Lowry
Bundy	Lucas
Burnaman	Lyle
Carlton	McAlister
Carrington	McDonald
Cato	McMurry
Chambers	Manford
Clark	Markle
Cleveland	Matthews
Coker	Montgomery
Connelly	Morgan
Craig	Morris
Crossley	Pace
Daniel	Phillips
Dickson of Bexar	Price
Donald	Rampy
Ellis	Ridgeway
Favors	Roberts
Ferguson	Sharpe
Files	Smith of Bastrop
Gilmer	Smith of Atascosa
Halsey	Spacek
Hardeman	Stanford
Hargis	Taylor
Harris of Dallas	Thornton
Harris of Hill	Turner
Heflin	Vale
Helpinstill	Voigt
Howard	Wattner
Huffman	Weatherford
Hughes	White
Humphrey	

Nays—32

Allen	Benton
Bailey	Bray

Burkett	Lehman
Davis	McGlasson
Deen	McLellan
Dove	McNamara
Duckett	Martin
Fuchs	Mills
Gandy	Murray
Hanna	Parker
Henderson	Reed of Bowie
Hileman	Rhodes
Hobbs	Roark
Howington	Senterfitt
Huddleston	Simpson
King	Stubbs

Absent

Celaya	Manning
Colson, Mrs.	Pevehouse
Crosthwait	Sallas
Dickson of Nolan	Shell
Garland	Skiles
Goodman	Spangler
Hartzog	Stinson
Kelly	Walters
Kinard	Whitesides
Little	

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

Mr. Burkett offered the following amendment to that section of the committee amendment relative to Secretary of State's Department:

Amend Committee Amendment No. 1 to Senate Bill No. 423, page 266, as printed, by striking out line 24, "Assistant Secretary of State" and \$4,000 for the biennial; page 268, lines 23 and 24, item 43, by striking out "Assistant Securities Commissioner" for \$3,000 for the biennial; page 269, line 25, item 60, by striking out the words "Executive Secretary" and \$2,400 for the biennial.

BURKETT,
HOWINGTON,
DAVIS.

Mr. Alsup moved to table the amendment by Mr. Burkett.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

Allen	Hughes
Allison	Hutchinson
Alsup	Jones
Avant	Kennedy
Baker	Kersey
Bean	Klingeman
Blankenship	Lansberry
Boone	Leyendecker
Brawner	Lock
Bridgers	Love
Brown	Lowry
Bullock	Lucas
Burnaman	Lyle
Carlton	McAlister
Carrington	McDonald
Cato	McLellan
Clark	Manford
Cleveland	Markle
Colson, Mrs.	Matthews
Connelly	Morgan
Craig	Morris
Crosthwait	Pace
Dickson of Bexar	Phillips
Donald	Price
Ellis	Ridgeway
Favors	Roberts
Ferguson	Smith of Bastrop
Halsey	Smith of Atascosa
Hardeman	Spacek
Hargis	Stanford
Harris of Dallas	Taylor
Hartzog	Thornton
Helpinstill	Turner
Howard	Walters
Huddleston	Wattner
Huffman	Weatherford

Nays—36

Bailey	Howington
Benton	King
Bray	Knight
Burkett	Lehman
Chambers	McGlasson
Coker	McNamara
Crossley	Manning
Daniel	Martin
Davis	Mills
Deen	Murray
Dove	Parker
Duckett	Reed of Bowie
Fuchs	Rhodes
Gandy	Roark
Gilmer	Senterfitt
Henderson	Simpson
Hileman	Stubbs
Hobbs	Voigt

Present—Not Voting

Harris of Hill

Absent

Bruhl	McMurry
Bundy	Montgomery
Celaya	Pevehouse
Dickson of Nolan	Rampy
Files	Sallas
Garland	Sharpe
Goodman	Shell
Heflin	Skiles
Humphrey	Spangler
Isaacks	Stinson
Kelly	Vale
Kinard	White
Little	Whitesides

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

Mr. Bullock offered the following amendment to that section of the committee amendment relative to Board of County and District Road Indebtedness:

Amend Committee Amendment No. 1 to Senate Bill No. 423, page 264, line 16, by adding the word "Machine" between the words "Chief" and "Bookkeeper."

The amendment was adopted.

Mr. Favors offered the following amendment to that section of the Committee Amendment relative to Secretary of State Department:

Amend Committee Amendment to Senate Bill No. 423, page 268, line 25, item 44, by striking out the figures "\$1,500.00" and inserting in lieu thereof "\$3,000.00."

Mr. Kersey moved the previous question on the pending amendments and the passage of Senate Bill No. 423 to third reading, and the main question was ordered.

Question recurring on the amendment by Mr. Favors, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—70

Avant	Hoyo
Baker	Humphrey
Bean	Hutchinson
Blankenship	Isaacks
Boone	Jones
Bray	Klingeman
Bridgers	Lansberry
Brown	Little
Bullock	Love
Carlton	Lucas
Carrington	Lyle
Cato	McAlister
Clark	McLellan
Cleveland	McMurry
Coker	Manford
Connelly	Markle
Craig	Matthews
Crossley	Mills
Crosthwait	Morgan
Daniel	Pace
Deen	Price
Dickson of Bexar	Rampy
Donald	Ridgeway
Dove	Rhodes
Duckett	Senterfitt
Ellis	Sharpe
Favors	Simpson
Fuchs	Spacek
Gilmer	Stanford
Hardeman	Stinson
Hargis	Thornton
Harris of Hill	Walters
Heflin	Wattner
Hileman	Weatherford
Howard	Whitesides

Neys—47

Allen	Knight
Allison	Lehman
Alsup	Leyendecker
Bailey	Lock
Benton	Lowry
Bruhl	McGlasson
Bundy	McNamara
Burkett	Manning
Burnaman	Martin
Chambers	Montgomery
Davis	Murray
Ferguson	Parker
Gandy	Phillips
Harris of Dallas	Reed of Bowie
Helpinstill	Roark
Henderson	Roberts
Hobbs	Smith of Bastrop
Howington	Smith of Atascosa
Huddleston	Stubbs
Huffman	Taylor
Hughes	Turner
Kennedy	Vale
Kersey	Voigt
King	

Absent

Brawner	Kinard
Celaya	McDonald
Colson, Mrs.	Morris
Dickson of Nolan	Pevehouse
Files	Sallas
Garland	Shell
Goodman	Skiles
Halsey	Spangler
Hartzog	White
Kelly	

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree

Question recurring on the Committee Amendment, as amended, it was adopted.

On motion of Mr. Morris, the Committee Amendment was ordered not printed in the Journal, same being the printed bill.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 423 was then passed to third reading.

SENATE BILL NO. 423 ON
THIRD READING

Mr. Morris moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 423 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Allen	Bridgers
Allison	Brown
Alsup	Bruhl
Avant	Bullock
Bailey	Bundy
Baker	Burnaman
Bean	Carlton
Blankenship	Carrington
Boone	Cato
Brawner	Chambers
Bray	Clark

Cleveland	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lyle
Craig	McAlister
Crossley	McDonald
Crosthwait	McMurry
Daniel	Manford
Deen	Manning
Dickson of Bexar	Markle
Donald	Martin
Dove	Matthews
Ellis	Mills
Favors	Montgomery
Ferguson	Morgan
Gandy	Morris
Gilmer	Murray
Goodman	Pace
Halsey	Phillips
Hardeman	Price
Hargis	Rampy
Harris of Dallas	Reed of Bowie
Harris of Hill	Ridgeway
Heflin	Roark
Helpinstill	Roberts
Henderson	Senterfitt
Hobbs	Sharpe
Howard	Simpson
Hoyo	Smith of Bastrop
Huddleston	Smith of Atascosa
Huffman	Spacek
Humphrey	Stanford
Hutchinson	Stinson
Isaacks	Stubbs
Jones	Taylor
Kennedy	Thornton
Kersey	Turner
Klingeman	Vale
Knight	Voigt
Lansberry	Walters
Lehman	Weatherford
Leyendecker	White
Little	Whitesides

Nays—15

Benton	Lucas
Burkett	McGlasson
Davis	McLellan
Duckett	McNamara
Fuchs	Parker
Hileman	Rhodes
Howington	Wattner
King	

Absent

Celaya	Kinard
Dickson of Nolan	Pevehouse
Files	Sallas
Garland	Shell
Hartzog	Skiles
Hughes	Spangler
Kelly	

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree

The Chair then laid Senate Bill No. 423 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103

Allen	Hoyo
Allison	Huddleston
Alsup	Huffman
Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Bean	Isaacks
Blankenship	Jones
Boone	Kennedy
Brawner	Kelly
Bray	Kersey
Bridgers	Klingeman
Brown	Knight
Bullock	Lansberry
Bundy	Lehman
Burnaman	Leyendecker
Carlton	Little
Carrington	Lock
Cato	Love
Clark	Lowry
Cleveland	Lyle
Coker	McAlister
Colson, Mrs.	McDonald
Connelly	McMurry
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Dickson of Bexar	Matthews
Donald	Montgomery
Dove	Morgan
Ellis	Morris
Ferguson	Murray
Gandy	Pace
Garland	Phillips
Gilmer	Price
Halsey	Reed of Bowie
Hardeman	Ridgeway
Hargis	Roark
Harris of Dallas	Roberts
Harris of Hill	Senterfitt
Hartzog	Sharpe
Heflin	Shell
Helpinstill	Simpson
Henderson	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Spacek

Stanford	Walters
Stubbs	Wattner
Taylor	Weatherford
Thornton	White
Turner	Whitesides
Vale	

Nays—23

Benton	Lucas
Bruhl	McGlasson
Burkett	McLellan
Craig	McNamara
Davis	Martin
Deen	Mills
Duckett	Parker
Favors	Rampy
Fuchs	Rhodes
Hileman	Stinson
Howington	Voigt
King	

Absent

Celaya	Kinard
Chambers	Pevehouse
Dickson of Nolan	Sallas
Files	Skiles
Goodman	Spangler

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree

Mr. Morris moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 754

Mr. Bruhl offered the following resolution:

H. C. R. No. 126, Authorizing certain corrections in House Bill No. 754.

Whereas, House Bill No. 754 has passed the House and Senate with a Senate amendment; and

Whereas, The population bracket in the Senate amendment was incorrectly given; and

Whereas, This is a local bill and the population in the Senate amend-

ment should apply to Wood County only; now, therefore, be it

Resolved by the House, the Senate concurring, That the Enrolling Clerk of the House be authorized and directed to strike out the figures "25,000" and insert in lieu thereof the figures "24,500."

The resolution was read second time and was adopted.

SPECIAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following committee to escort Members of the United Daughters of the Confederacy and party to the Speaker's stand for the purpose of presenting crosses of military services to certain ex-service men: Mr. Blankenship, Mr. Roberts, Mrs. Colson, Mr. Crossley and Mr. Helpinstill.

PRESENTATION OF SERVICE CROSSES TO EX-SERVICE MEN

(In Joint Session)

In accordance with the provisions of House Concurrent Resolution No. 118, adopted by the House and Senate, Providing for presentation of Crosses of Military Service to certain Ex-Service Men who are descendants of Confederate Veterans, at 4:00 o'clock p. m. today, the Honorable Senators escorted by Hon. Bob Barker, Secretary of the Senate, were announced at the bar of the House and being duly admitted were escorted to seats prepared for them along the aisle.

Members of the United Daughters of the Confederacy and party, escorted by Messrs. Blankenship, Roberts, Crossley, Helpinstill, and Mrs. Colson, committee on the part of the House, were announced at the bar of the House and were escorted to seats on the Speaker's stand.

Senator Allan Shivers called the Senate to order.

Senator Shivers directed the clerk to call the roll of the Senate.

The roll of the Senate was called and the following Senators were present:

Aikin	Brownlee
Beck	Chadick

Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Isbell	Smith
Kelley	Stone
Lannnig	Van Zandt
Lemens	Vick
Lovelady	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

Absent—Excused

Cotton	Spears
Hill	Sulak

A quorum of the Senate was announced present.

Speaker Homer Leonard called the House to order and directed the Clerk to call the roll of the House.

The roll of the House was called and the following Members were present:

Mr. Speaker	Deen
Allen	Dickson of Bexar
Allison	Donald
Alsup	Dove
Avant	Duckett
Bailey	Ellis
Baker	Favors
Bean	Ferguson
Benton	Files
Blankenship	Fuchs
Boone	Gandy
Brawner	Garland
Bray	Gilmer
Bridgers	Goodman
Brown	Halsey
Bruhl	Hanna
Bullock	Hardeman
Bundy	Hargis
Burkett	Harris of Dallas
Burnaman	Harris of Hill
Carlton	Hartzog
Carrington	Heflin
Cato	Helpinstill
Celaya	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howard
Coker	Howington
Colson, Mrs.	Huddleston
Connelly	Huffman
Craig	Hughes
Crossley	Humphrey
Crosthwait	Hutchinson
Daniel	Isaacks
Davis	Jones

Kelly	Parker
Kennedy	Pevehouse
Kersey	Phillips
Kinard	Price
King	Rampy
Klingeman	Reed of Bowie
Knight	Ridgeway
Lansberry	Rhodes
Lehman	Roark
Leyendecker	Roberts
Little	Sallas
Lock	Senterfitt
Love	Sharpe
Lowry	Shell
Lucas	Simpson
Lyle	Skiles
McAlister	Smith of Bastrop
McDonald	Smith of Atascosa
McGlasson	Spacek
McLellan	Spangler
McMurry	Stanford
McNamara	Stinson
Manford	Stubbs
Manning	Taylor
Markle	Thornton
Martin	Turner
Matthews	Vale
Mills	Voigt
Montgomery	Walters
Morgan	Wattner
Morris	Weatherford
Murray	White
Pace	Whitesides

Absent

Dickson of Nolan

Absent—Excused

Anderson	McCann
Bell	Moore
Dwyer	Morse
Eubank	Nicholson
Evans	Reed of Dallas
Fitzgerald	Winfree
Hoyo	

A quorum of the House was announced present.

Speaker Leonard then presented Hon. Dallas Blankenship, who presented Mrs. W. W. Turner; Mrs. Turner then presented Mrs. J. E. Callahan, who led the assemblage in the singing of America.

Hon. James V. Goodman was introduced by Mrs. J. E. Callahan and presented the following descendants of Confederate Soldiers, who served in the World War, who were severally presented and decorated with

Crosses Designating Distinguished Military Service:

Hon. Jones Edwin Benton, Hon. Page Edwin Carson, Hon. Nolan Ocree Burnaman, Hon. Bert Ford, Hon. V. E. Goodman, Hon. A. W. Holt, Hon. Thomas J. Martin Jr., Senator John Lee Smith, Hon. Chas. P. Spangler, Hon. Frank A. Voigt.

Hon. Dorsey B. Hardeman was presented and addressed the Joint Session briefly.

Senator John Lee Smith was presented and addressed the Joint Session briefly.

SENATE RETIRES

At the conclusion of the ceremonies, the Senate, at 4:45 o'clock p. m., retired to its Chamber.

MESSAGE FROM THE SENATE

Austin, Texas, May 7, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 186, A bill to be entitled "An Act providing for the conservation and protection of game in the State of Texas by providing open seasons for hunting in the State, etc.; and declaring an emergency."

H. B. No. 233, A bill to be entitled "An Act appropriating the sum of One Million, One Hundred and Twenty-four Thousand, Three Hundred and Seventy-four Dollars (\$1,124,374) per year, or so much thereof, as may be necessary for the next biennium beginning September 1, 1941, and ending August 31, 1943, from the General Revenue Fund for the purpose of promoting public school interests, etc.; and declaring an emergency." (With amendments.)

H. B. No. 331, A bill to be entitled "An Act amending House Bill No. 1032 of the Regular Session of the Forty-sixth Legislature, Acts 1939, Chapter 15, page 652, so as to exclude independent school districts and common school districts from the operation thereof; and declaring an emergency."

H. B. No. 724, A bill to be entitled "An Act providing an open season when it shall be lawful to hunt, take or kill deer in Brown County, Texas, etc.; and declaring an emergency."

H. B. No. 728, A bill to be entitled "An Act authorizing Boards of Trustees in all independent school districts located in certain counties to issue refunding warrants to bear interest at the rate of three (3) per centum per annum, etc.; and declaring an emergency." (With amendments.)

H. B. No. 820, A bill to be entitled "An Act for the purpose of better conserving the marine fish resources of this State by placing a closed season on shrimp in the inland salt water of this State during the period of time from and between the 15th day of December and the 1st day of March of any year, etc.; and declaring an emergency." (With amendments.)

H. B. No. 840, A bill to be entitled "An Act providing for the establishment, erection, equipping, operation and maintenance of hospitals by certain counties and cities, for the levying of a direct tax therefor, and for the issuance and payment of bonds for such purposes, etc.; and declaring an emergency."

H. B. No. 850, A bill to be entitled "An Act authorizing the Commissioners Court in Wharton County to allow each County Commissioner certain expenses in connection with the performance of the duties as Road Commissioner in addition to the duties as County Commissioner, etc.; and declaring an emergency."

H. B. No. 882, A bill to be entitled "An Act providing that it shall not be unlawful for any person to catch, trap, shoot, or kill any wild fox in Robertson County, Texas, etc.; and declaring an emergency."

H. B. No. 893, A bill to be entitled "An Act providing for an open season for mourning doves in Van Zandt and Rains Counties, from September 1st to October 31st of each year, etc.; and declaring an emergency."

H. B. No. 920, A bill to be entitled "An Act authorizing the Commissioners' Court in any county having

a population of not less than twenty-nine thousand, seven hundred and sixty (29,760) and not more than twenty-nine thousand, nine hundred and sixty (29,960) inhabitants, according to the last preceding Federal Census, to lease any county hospital belonging to said county, and providing for the terms of said lease; and declaring an emergency."

H. B. No. 925, A bill to be entitled "An Act declaring an open season on killing the Golden Eagle or Mexican Brown Eagle in the State of Texas, etc.; and declaring an emergency."

H. B. No. 946, A bill to be entitled "An Act creating a Special Road Law for Crosby County, Texas, providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of April 10, 1941, etc.; and declaring an emergency."

H. B. No. 949, A bill to be entitled "An Act providing that it shall be lawful to kill quail in Van Zandt County only on Monday, Wednesday and Friday of each week after the 1st day of December, 1941, etc.; and declaring an emergency."

H. B. No. 954, A bill to be entitled "An Act amending House Bill No. 884 of the Forty-sixth Legislature, as amended by House Bill No. 1109 of the Forty-sixth Legislature, so as to add thereto a new section to be known as Section 1a, etc.; and declaring an emergency."

H. B. No. 978, A bill to be entitled "An Act repealing House Bill No. 386 of the Regular Session of the Forty-seventh Legislature, so as to permit fishing for certain species of fish in McLennan County during the month of February of any year, etc.; and declaring an emergency."

H. B. No. 518, A bill to be entitled "An Act authorizing the Commissioners' Courts in certain counties to determine the maximum annual salary to be paid an officer named in Section 13 of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, etc.; and declaring an emergency." (With amendments.)

S. B. No. 276, A bill to be entitled "An Act granting permission to Thomas H. Fort to file and prosecute

suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said Thomas H. Fort for damages alleged to have been sustained by reason of the construction, etc.; and declaring an emergency."

S. B. No. 288, A bill to be entitled "An Act providing that the Commissioners' Court in certain counties shall have the authority to direct, control, employ and discharge all building superintendents, telephone operators, elevator operators, etc.; and declaring an emergency."

S. B. No. 421, A bill to be entitled "An Act amending Article 5139 of the Revised Civil Statutes of Texas, 1925, by adding a new article to be known as Article 5139B, etc.; and declaring an emergency."

S. B. No. 424, A bill to be entitled "An Act creating a Special Road Law for Fisher County, Texas, etc.; and declaring an emergency."

The Senate has adopted free Conference Committee report on House Bill No. 364 by a viva voce vote.

Adopted

S. R. 129, Requesting the House to return House Bill No. 541 to the Senate for further consideration.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 276, to the Committee on State Affairs.

S. B. No. 288, to the Committee on Counties.

S. B. No. 421, to the Committee on Judiciary and Uniform State Laws.

S. B. No. 424, to the Committee on Counties.

HOUSE BILL ON FIRST READING

The following House bill, introduced today, was laid before the

House, read first time, and referred to the appropriate committee, as follows:

By Mr. Craig:

H. B. No. 1018, A bill to be entitled "An Act applying only to independent school districts in counties having a population of not less than one thousand, eight hundred forty-three (1,843) and not more than one thousand, nine hundred forty-three (1,943) according to the last preceding Federal Census; authorizing said school districts to fund into time warrants all outstanding obligations of said school districts which existed on May 10, 1941; prescribing the terms and conditions of issuance of said time warrants; authorizing said school districts to borrow money in a sum not to exceed Fourteen Thousand Dollars (\$14,000.00) with which to pay certain outstanding obligations; providing for the levying of a tax to pay the same and fixing the rate of interest thereon; prescribing the terms and conditions of said time warrants, and declaring an emergency."

Referred to the Committee on School Districts.

ADJOURNMENT

On motion of Mr. Kersey, the House, at 5:50 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills, as follows:

Municipal and Private Corporations: Senate Bill No. 294.

State Affairs: House Bills Nos. 1009 and 1013.

Education: House Bills Nos. 962 and 1016.

Counties: House Bills Nos. 886, 994, 1003, 1004, 1008 and 1012; Senate Bills Nos. 22, 296 and 449.

Judiciary and Uniform State Laws: House Bills Nos. 750, 966 and 993; Senate Bills Nos. 83 and 125.

Insurance: Senate Bill No. 82.

The Committee on State Affairs filed an adverse report with minority favorable report on House Bill No. 189.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, May 6, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 120, Providing for recess from June 2, 1941, to July 15, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 7, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 121, Designating Thursday, May 8th, as Suspension Day in the House of Representatives.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 7, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 31, "An Act to provide that in all suits on account of the defalcation of, or misapplication or misappropriation of money, by any public officer in this State the official bond or bonds of such officers executed after this Act takes effect shall inure to the benefit of the persons aggrieved by such defalcation, misapplication, or misappropriation occurring during the period covered by such bonds, and that for all purposes of limitations such suits by such persons on such bonds shall be considered and treated as actions for debt founded upon a contract in writ-

ing and governed by the four-year Statute of Limitation."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 7, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 124, "An Act to amend Article 4629 of the Revised Civil Statutes of Texas, 1925, as amended by providing grounds for divorce; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 7, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 335, "An Act to amend Article 324 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 23 of the General Laws of the Regular Session of the Fortieth Legislature of Texas, as amended by House Bill No. 222, Chapter 254, Acts of the Regular Session of the Forty-first Legislature, and as further amended by Chapter 137, Section 1, of the General Laws of the Regular Session of the Forty-second Legislature, Acts of 1931, relating to the appointment of assistant district attorneys in any judicial district in this State consisting of more than one county in which there is situated a city of not less than thirty-four thousand (34,000) nor more than forty-four thousand (44,000) people; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 7, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 118, Providing for a Joint Session for the purpose of decorating certain World War Veterans.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 7, 1941

House Concurrent Resolution No. 118.

House Bill No. 31.

House Bill No. 124.

House Bill No. 335.

SIXTY-NINTH DAY

(Thursday, May 8, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Crossley
Allen	Crothwait
Allison	Daniel
Alsup	Davis
Avant	Deen
Bailey	Dickson of Bexar
Baker	Dickson of Nolan
Bell	Donald
Benton	Dove
Blankenship	Duckett
Boone	Dwyer
Brawner	Ellis
Bridgers	Eubank
Brown	Favors
Bruhl	Ferguson
Bullock	Files
Bundy	Fitzgerald
Burkett	Fuchs
Burnaman	Gandy
Carlton	Garland
Carrington	Gilmer
Cato	Goodman
Celaya	Halsey
Chambers	Hanna
Clark	Hardeman
Cleveland	Hargis
Coker	Harris of Dallas
Colson, Mrs.	Harris of Hill
Connelly	Heflin
Craig	Helpinstill